

**DRAFT MEETING MINUTES
CITY OF MILPITAS**

Meeting Minutes: Regular Meeting of the Redevelopment Agency
(Including Joint Meeting with the City Council)

Date: Tuesday, June 6, 2006

Time: 7:00 PM

Location: City Hall Council Chambers, 455 E. Calaveras Blvd.

JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING

RA1. CALL TO ORDER Mayor/Agency Chairman Esteves called to order the regular meeting of the Milpitas Redevelopment Agency, meeting jointly with the City Council, at 8:02 PM.

RA2. ROLL CALL **PRESENT:** Mayor/Chair Esteves, Vice Chair/Vice Mayor Gomez and Agency/Councilmembers Giordano, Livengood and Polanski

ABSENT: None

RA 3. MEETING MINUTES Motion: approve the Redevelopment Agency minutes of May 9 and 16, 2006, including joint meetings with the City Council, as submitted.

Motion/Second: Agency/Councilmember Polanski/ Agency/Councilmember Livengood

Motion carried by a vote of: AYES: 5
NOES: 0

RA 4. Approval of Agenda and Consent Calendar Motion: approve the agenda and consent calendar

Councilmember Polanski requested removal of Item No. RA 6 from consent.

Motion/Second: Agency/Councilmember Polanski/ Agency/Councilmember Giordano

Motion carried by a vote of: AYES: 5
NOES: 0

RA 5. Progress Report on Library and East Parking Garage CIP Projects Manager Mark Rogge discussed the Library and Parking Garage projects in the Milpitas mid-town area.

95% construction documents for the Library phase I were completed. He requested pre-qualification phase to be approved for Library tonight (as was recently done for the parking garage). Mr. Rogge reviewed the most current status of budget for the project. He reported to other Commissions and interested parties (Downtown Association, Art Committee) recently.

On the Parking Garage, he defined expenditures to date, and displayed the latest cost estimates for the parking garage. Pre-qualification for bidders was done. Proposals were due recently, and at this meeting, the bidders list was requested to be approved.

Mayor Esteves commented that this information was already presented to Library subcommittee previously.

Councilmember Giordano asked whether cost would be the only determining factor in selecting the construction contractor? Staff replied that with the pre-qualification process ensures the bidders meet all minimum standards to qualify to bid on the project. It was anticipated to be a twelve-months construction period, and contractors have to show a schedule that they can complete in that time frame.

Mayor asked for any comments from the audience.

Motion: to approve the following four actions:

1. Approved Bidders List for the Milpitas Parking Garage, and set June 20 as Public Hearing date for any appeals.
2. Appropriated \$3 million from the Transit Occupancy Tax to the Midtown East Parking Garage, Project No. 8161.
3. Authorized City Manager/Agency Director to award and execute the construction contract for Garage to the lowest responsible bidder (unknown at this meeting) within the Cost Plan, subject to review by the City Attorney,
4. Received the oral progress report on Library and Midtown East Parking Garage.

Motion/Second: Agency/Councilmember Livengood/ Agency/Councilmember Giordano

Motion carried by a vote of:

AYES: 5

NOES: 0

Mr. Rogge reported further that the North Main Street utility undergrounding project was nearly 90% complete. The "Good Neighbor Program" for businesses in the area was under way, and the City wanted to encourage all contractors' employees coming to work in Milpitas to shop and eat in the City while working here.

Mr. Rogge pointed out that Mr. Jeff Adams from Chong Partners and Daryl Whitback from CSI were both present at the meeting and could respond to any questions.

**RA 6. Fiscal Year 2006-07
Budget and Capital
Improvement Program**

Finance Director Emma Karlen presented the new Fiscal Year Budget and CIP for adoption by the City Council and Redevelopment Agency. A Public Hearing was previously held on May 9 and the Council had conceptually approved the budget.

Councilmember Polanski announced that she would vote no. With regard to the Crime Analyst position in the Police Department, she commended the Police Chief for desiring to maintain that position (by eliminating two other part-time positions in the Department). Meanwhile, the City still expected deficits over the next several years. In the past, the City has used RDA funds to balance the budget and needed at this point to take a longer look, 4-5 years forward, at the budget overall. She thanked City staff for their hard work on the budget and for working under the 95% adopted budget.

Mayor Esteves asked specifically how much money was in the item, noted as Recommendation No. 4 in the staff report. Ms. Karlen explained it was the funding of the CIP projects for the coming year. The Mayor then expressed that his vote would be No on staff Recommendations No. 1 and 2, noting his previous comments in public meetings on the budget.

(1) Motion: Approve the following Items, 3,4 5, 6, 7 from the staff recommendation

1. Joint Resolution of the City of Milpitas No. 7595 and the Redevelopment Agency No. RA 255 making findings following a Public Hearing for use of Redevelopment funds.
2. Resolution No. RA 256 of the Milpitas Redevelopment Agency authorizing payments to the City of Milpitas pursuant to the Second Amended and Restated Public Works Agreement.
3. Resolution No. RA 257 of the Milpitas Redevelopment Agency determining that the planning and administration expense to be funded in FY 2006-07 by the

- Housing Reserve Fund are necessary for the production, improvement and/or preservation of affordable housing for the low and moderate-income households
4. Fiscal Year 2006-07 Capital Improvement Program Budget of \$54,651,294.
 5. Five Year Capital Improvement Program for Fiscal Years 2006-07 through 2010-11 of \$97,816,294.

Motion/Second: Agency/Councilmember Polanski /Agency/Councilmember Livengood

Motion carried by a vote of: AYES: 5
NOES: 0

(2) Motion: Approve the following Items No. 1 and 2 of staff recommendations

1. Resolution No. 7593 Adopting the Fiscal Year 2006-07 Appropriations Limit of \$56,673,996 for the City of Milpitas.
2. Joint Resolution of the City of Milpitas No. 7594 and the Redevelopment Agency No. RA 254 approving the City’s Final FY 2006-07 Budget of \$164,137,690, as modified to a) eliminate the part-time positions in the Police Department of Police Assistant and Property Clerk and b) retain the position of Crime Analyst.

Motion/Second: Agency/Councilmember Livengood / Vice Chair/Vice Mayor Gomez

Motion carried by a vote of: AYES: 3
NOES: 2 (Esteves, Polanski)

*** RA 7.** Resolution Granting Initial Acceptance of N. Main St Hazardous Materials Remediation and Demolition Project

Adopted Resolution No. RA 258, granting initial acceptance of Project No. 8154, subject to the one-year warranty period and reduction of the faithful performance bond to \$29,483.

***RA 8.** Agreement Amendment No. 1 with Chong Partners Architecture, Midtown East Parking Garage

Authorized the City Manager/Agency Director to execute the agreement amendment with Chong Partners Architecture for an amount not to exceed \$384,000, for the construction services needed for construction of Midtown East Parking Garage, Project No. 8161.

***RA 9.** Approve Keyser Marston agreement

Approved the agreement with Keyser Marston Associates in an amount not to exceed \$107,105 for professional services related to a Redevelopment Plan amendment to merge the Great Mall Project Area and Project Area No. 1, and appropriated \$127,105 from the RDA Project Fund to the Economic Development operating budget.

RA 10. ADJOURNMENT

Chair/Mayor Esteves adjourned the Redevelopment Agency meeting at 8:21 PM.

Meeting minutes respectfully submitted by:

Mary Lavelle, Agency Secretary/City Clerk